

Docket No.: 103864-1101 (Formerly 112764-1101)PATENT/OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Christopher J. Lasher et al.

Serial No. 09/512,734

Filed: February 24, 2000

For: ENHANCED DRUG DISPENSING SYSTEM



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: Group Art Unit: 3721
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: Examiner:

TECHNICAL DIVISION 3700

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Assistant Commissioner for
Patents and Trademarks
Washington, D. C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The copies of references provided are references not cited in the parent application. All other references were cited in the parent and copies are not attached.

Applicant is aware of a prior art pill dispensing system employing a bank of dispensers, each having a dispensing mechanism similar to that disclosed in the Hurst Patent No. 4,869,394. A dispenser in the bank is selected and activated to count out a selected number of pills in a prescription in response to the wanding of a bar code on a prescription label. The prescription is counted out into an output tube where they are accumulated behind a sliding door. The technician after wanding the bar code applies the prescription label to the bottle and lifts the door to empty the counted out pills into the pill bottle.

The applicant is also aware of a prior art system wherein banks of pill dispensers employing a dispensing mechanism like that disclosed in the Hurst patent above mentioned are under the control of a computer to count out pills to an output tube where the pills are accumulated behind a sliding door. A robotic mechanism on wheels rolls back and forth among the bank of dispensers. The robotic mechanism has a carousel carrying a plurality of pill bottles. By combined motion of the rotation of the carousel and movement of the carriage, a selected pill bottle can be brought under an output tube whereupon the mechanism lifts the door to dispense the pills in the selected pill bottle. The pill dispensers in this system can be filled from the back of the bank of dispensers permitting the selected dispenser to dispense pills while it is being filled.

The applicant is also aware of a refill lockout system employing a bank of dispensers, each employing a dispensing mechanism like that described in the above-mentioned Hurst patent. This system is also described in a publication which is listed in the attached prior art citation form. In this system, a computer permits only one of the dispensing cells to be filled at a time and a locking system prevents all of the dispensers

except for the selected dispenser to be filled. The computer selects the dispenser to be filled by wanding a bar code label on the bulk package of the drug to be used to refill the dispenser. In order to fill a dispenser, the dispenser had to be opened up from the front side on which the output tube from the dispenser is located. When the dispensing cell is opened from the front for refilling, the dispenser is incapable of dispensing the pills.

Applicant is also aware of a prior art system prescription dispensing stations that were distributed around a carousel type conveyor. At each dispensing station, there was provided a pill counting dispensing machine called Baker cell, which was on the market available from Automatic Prescription Systems, Inc. of Pineville, Louisiana. The Baker cells of the Medco system in response to the wanding of a bar code would automatically count out and dispense a selected number of tablets called for by the bar code. The tablets were dispensed into a pill bottle placed under an output spout of the dispensing machine. To fill a prescription, a patient order containing patient identifying information and calling for one or more prescriptions was received by a computer, which printed a pick list setting forth the prescriptions of the patient order in the sequence in which the prescriptions were to be filled. The computer also printed bar codes corresponding to each prescription on the pick list. A first operator received the pick list from the computer and placed the pick list in a container called a pan on the conveyor in a conveyor section assigned specifically to the dispensing station for dispensing the first prescription on the pick list. The conveyor carried the pans on the carousel past the stations and when the carousel section corresponding to a station arrived at the station, the operator at that station would remove the pan from the conveyor, wand the bar code on the pick list in the pan and fill the corresponding prescription in a bottle which would then be labeled, capped and placed in

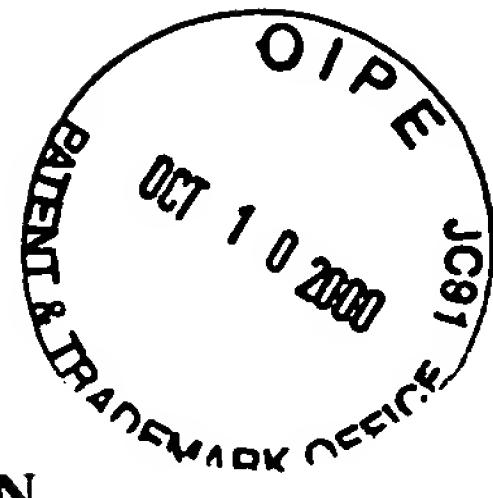
the pan with the pick list. If a second prescription of the order was to be filled, the operator would then place the pan back on the carousel in the section corresponding to the next station from which a second prescription was to be filled. The carousel would then carry the pan to that next station whereupon the operator of the next station would fill the second prescription of the order and place the filled prescription bottle in the pan. When the order was complete, the pan would then be placed back on the carousel to be diverted from the carousel for mailing of the order in the pan.

The Applicant is also aware of the SI Handling Dispens-SI-Matic system used to dispense and sort prefilled prescriptions at a Medco pharmacy. The Dispens-SI-Matic system comprises one or more product magazines, each arranged in an A-frame configuration. Products from a product magazine are dispensed onto a collecting belt which travels through the product magazine structure. The collecting belt is divided into sections and products for a given order coming from the same product magazine are dispensed into the same belt section, so packages for the same order are collected on the corresponding belt section. When the collecting belt reaches the end of the conveyor, the products dispensed onto the belt are dispensed into a tote bin passing on a tote bin conveyor which interfaces with the collecting belt. The tote bins on the tote bin conveyor bear license plates which can be read by the system. At a start order station, a camera reader will scan the license plate on each tote bin and match the tote label with an order number in the same sequence that the orders are downloaded by the computer. The totes are cued on the tote bin conveyor which interfaces with the collecting belt and, at a point a few inches ahead of the interface between the tote bin conveyor and the collecting belt, a scanner or CCD camera reads the license plate on the approaching tote bin to verify that

the order being dumped is correct for that tote. If it is not the correct tote bin, the tote bin is automatically diverted to a checking station.

As pointed out above, the assembly of each order from one product magazine is in an assigned area of the collecting belt. The product magazines can be arranged in a parallel configuration. In a parallel configuration, several product magazines would dispense products onto separate conveyor belts which interface with a common tote conveyor. Thus, in this arrangement, the products for a common order dispensed from separate product magazines would be assembled into the same tote on the tote conveyor and in this manner, sortation of the products from separate product magazines by order would be achieved. The combined SI Handling system includes two Dispens-SI-Matic product magazines which feed products to a common tote bin conveyor.

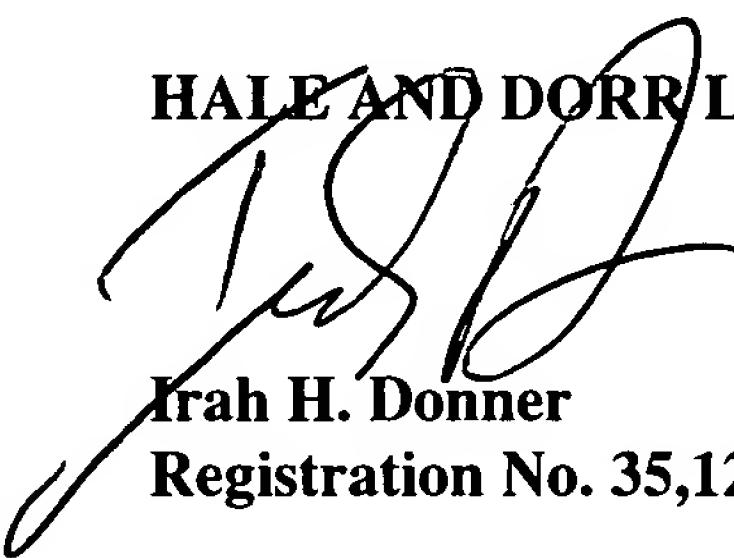
The tote bin conveyor carries the tote bins to diverse order picking and handling systems including Itematic Systems, marketed by SI Handling, horizontal and vertical carousels, a pick-to-light system, and a manual pick area. In the Itematic system, products are stored on shelves and are automatically picked from the shelves and placed on a conveyor which transports the picked items to a packing station. At the packing station, an operator packs the products for an order into tote bins or shipping boxes. The publication describing the Itematic system states that the Itematic has been installed around the world to pick various items including Rx and OTC drugs.

**AUTHORIZATION**

No fee is required. The Commissioner is hereby authorized to charge any additional fees which may be required for this submission, or credit any overpayment to deposit account no. 08-0219.

Respectfully submitted,

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